

**PUBLIC BIDDING & COMPETITIVE CONTRACTING  
FAIR & OPEN PROCESS**

**REQUEST FOR QUALIFICATIONS and PROPOSALS**

**Qualification Statements must be submitted in the manner designated in the instructions, must be enclosed in sealed envelopes bearing the name and address of the bidder and the name of the work on the outside, addressed to the Borough of Bradley Beach Clerk's Office 701 Main Street Bradley Beach NJ 07720**

The Borough of Bradley Beach is soliciting Qualification Statements from interested persons and/or firms for the provision of LOSAP Financial Administrator. Through a Request for Qualification process, persons and/or firms interested in assisting the Borough of Bradley Beach with the provision of such services must prepare and submit a Qualification Statement in accordance with the procedure and schedule in the RFQs. The BOROUGH OF BRADLEY BEACH will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described (in the sole judgment of the BOROUGH OF BRADLEY BEACH). The BOROUGH OF BRADLEY BEACH intends to qualify (a) persons(s) and/or firm(s) that (a) possess(es) the professional financial and administrative capabilities to provide the proposed services, and (b) agrees and meets the terms and conditions determined by the BOROUGH OF BRADLEY BEACH that provide the greatest benefit to the taxpayers.

The selection of Qualified Respondents is not subject to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. The selection is subject to the "New Jersey Local Unit Pay-to-Play" Law, N.J.S.A. 19:44A-20.4 et seq., however. The BOROUGH OF BRADLEY BEACH has structured a procurement process that seeks to obtain the desired results, while establishing a competitive process, to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement in response to the RFQ.

Qualification Statements must be submitted to, and be received by, Michele Whille, Deputy Clerk 701 Main Street Bradley Beach NJ 07720, on or before 2 p.m., on February 1, 2022. Qualification Statements will not be accepted by facsimile transmission or e-mail. The responses will be opened at 2:00 p.m., on February 1<sup>st</sup>, 2022, in 701 Main Street Bradley Beach NJ 07720

The instructions for Qualification Statements are available/retrievable online at the Bradley Beach website or at [www.bradleybeachnj.gov](http://www.bradleybeachnj.gov)

**Qualification Statements must be submitted in the manner designated in the instructions, must be enclosed in sealed envelopes bearing name and address of the bidder and the name of the work on the outside, addressed to the BOROUGH OF BRADLEY BEACH Attention: Deputy Clerk, Michele Whille 701 Main Street Bradley Beach NJ 07720 Any questions please email [mwhille@bradleybeachnj.gov](mailto:mwhille@bradleybeachnj.gov).**

**NOTE: The BOROUGH OF BRADLEY BEACH will consider proposals only from firms or organizations that have demonstrated the capability and willingness to provide high quality services in the manner described in this Request for Qualifications.**

REQUEST FOR QUALIFICATIONS  
FOR THE PROVISION OF FINANCIAL ADVISOR

SUBMISSION DEADLINE

February 1, 2022

Issued by:

Borough of Bradley Beach

Address and Response to:

**Attention Deputy Clerk, Michele Whille 701 Main Street Bradley Beach NJ 07720**

All response mail shall indicate on the outside envelope: RFQ – LOSAP Financial Advisor

## GENERAL INFORMATION AND SUMMARY

### ORGANIZATION REQUESTING STATEMENT OF QUALIFICATION

Bergen County Improvement Authority  
327 E. Ridgewood Avenue  
Paramus, NJ 07652

### CONTACT PERSON

Mr. Mauro Raguseo, Executive Director  
Bergen County Improvement Authority  
327 E. Ridgewood Avenue  
Paramus, NJ 07652

### PURPOSE OF REQUEST

The Bergen County Improvement Authority (BOROUGH OF BRADLEY BEACH) is requesting qualification statements from qualified applicants to provide services as Financial Advisor. Proposals will be evaluated in accordance with the criteria set forth in this Request for Qualifications (RFQ). One or more individuals/firms may be selected to provide all or part of the requested services, or no one may be selected. If a Respondent is selected, the Board of Commissioners will approve a resolution awarding a contract to the Respondent based on a rate of compensation to be set by the BOROUGH OF BRADLEY BEACH not to exceed an amount specified in the resolution without further action by the BOROUGH OF BRADLEY BEACH.

### PERIOD OF QUALIFICATION

February 4, 2022 through February 3, 2023.

### CONTRACT FORM

If selected to provide services, a qualified Respondent shall be required to execute a form contract, which may include indemnification, insurance, termination and licensing provisions.

It must also be agreed and understood that the acceptance by the respondent of the final payment shall be considered a release in full of all claims against the BOROUGH OF BRADLEY BEACH arising out of, or by reason of, the work done and materials furnished under a Contract.

Borough of Bradley Beach

VENDOR: \_\_\_\_\_

RESPONDENT'S CHECKLIST

Item	Respondent Initials	BOROUGH OF BRADLEY BEACH Review
A. Non-Collusion Affidavit properly notarized.		
B. Public Disclosure Statement.		
C. Mandatory Affirmative Action Language.		
D. Americans with Disabilities Act.		
E. Affirmative Action Compliance Notice.		
F. Copy of Business Registration Certificate of Respondent and of any subcontractor identified in Qualification Statement. (See Item G).		
G. Original signature(s) on all required forms.		

## APPENDIX A

### LETTER OF QUALIFICATION

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter)

[insert date]

Attn: Michele Whille, Deputy Clerk  
Borough of Bradley Beach  
701 Main Street  
Bradley Beach, NJ 07720

Dear Ms. Whille:

The undersigned have reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the "BOROUGH OF BRADLEY BEACH", dated 1/13/2022, in connection with the BOROUGH OF BRADLEY BEACH's need for LOSAP Financial Advisor services.

We affirm that the contents of our Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of (Name of Respondent).

(Respondent shall sign and complete the spaces provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief  
Executive Officer)

(Signature of Chief  
Financial Officer)

(Typed Name and Title)

(Typed name and Title)

(Type Name of Firm)\*

(Type Name of Firm)\*

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

\*If a joint venture, partnership or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Qualification.



## APPENDIX B

### LETTER OF INTENT

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter)

[insert date]

Attn: Kim Humphrey, Administrator  
701 Main Street, Bradley Beach NJ 07720

Dear Ms. Humphrey:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the BOROUGH OF BRADLEY BEACH, dated 1.13.2022, in connection with the BOROUGH OF BRADLEY BEACH's need for LOSAP Financial Advisor services.

(Name of Respondent) HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information.
2. (Name of Respondent) agrees (agrees) to participate in good faith in the procurement process as described in the RFQ and to adhere to the BOROUGH OF BRADLEY BEACH's procurement schedule.
3. (Name of Respondent) acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Qualification Statement and any proposal prepared and submitted in response to the RFP, or any negotiation which results there from shall be borne exclusively by the Respondent.
4. (Name of Respondent) hereby declares (declare) that the only persons participating in this Qualification Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the BOROUGH OF BRADLEY BEACH.
5. (Name of Respondent) declares that this Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.
6. (Name of Respondent) acknowledges and agrees that the BOROUGH OF BRADLEY BEACH may modify, amend, suspend and/or terminate the procurement process (in its sole

judgment). In any case, the BOROUGH OF BRADLEY BEACH shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.

7. (Name of Respondent) acknowledges that any contract executed with respect to the provision of Financial Advisor must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

(Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer)

\_\_\_\_\_  
(Typed Name and Title)

\_\_\_\_\_  
(Type Name of Firm)\*

Dated: \_\_\_\_\_

\*If a joint venture, partnership or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Intent.

SUBSCRIBED AND SWORN TO  
BEFORE ME THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public of New Jersey

NOTE: This form must be completed, notarized and returned with this proposal.



A. NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY)

) ss.:

COUNTY OF MONMOUTH )

I certify that I am \_\_\_\_\_ of the firm of \_\_\_\_\_

\_\_\_\_\_,  
the Respondent submitting the Qualification Statement in response to the within Request for  
Qualifications, and that I executed said Qualification Statement with full authority so to do; that  
said Respondent has not, directly or indirectly entered into any agreement, participated in any  
collusion, or otherwise taken any action in restraint of free competition in connection with the  
within Request for Qualifications; and that all statements contained in the Respondent's  
Qualification Statement and in this affidavit are true and correct, and made with full knowledge  
that the BOROUGH OF BRADLEY BEACH will rely/relies upon the truth of the statements  
contained in said Qualification Statement and in the statements contained in this affidavit in  
awarding the contract(s) for the services sought in the within the Respondent or as may be  
permitted by law.

\_\_\_\_\_  
(Signature of respondent)

BEFORE ME THIS \_\_\_\_\_ DAY

OF \_\_\_\_\_, 20\_\_\_\_.

(Type/Print Name of Affiant Under Signature)

\_\_\_\_\_  
Notary Public of New Jersey

My Commission expires \_\_\_\_\_

**NOTE: THIS FORM MUST BE COMPLETED, NOTARIED  
AND RETURNED WITH THIS PROPOSAL**

## **B. PUBLIC DISCLOSURE INFORMATION**

Chapter 33 of the Public Laws of 1977 provides that no corporation or partnership (General, Limited or Joint Venture) shall be awarded any State, City, Municipal or Schools District contracts for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or accompanying the bid of said corporation or partnership there is submitted a public disclosure information statement. The statement shall set forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein.

STOCKHOLDERS:

Name	Address	% Owned

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

SUBSCRIBED AND SWORN TO  
BEFORE ME THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 20\_\_\_\_.  
(Type or Print Name of Affiant Under Signature)

\_\_\_\_\_  
Notary Public of New Jersey  
My Commission Expires: \_\_\_\_\_

NOTE: THIS FORM MUST BE COMPLETED, NOTARIED  
AND RETURNED WITH THIS PROPOSAL

C. MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C.127) N.J.A.C. 17:27

If your firm is awarded a contract, your company/firm will be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. The following language, subject to any amendments by law or regulation, will be incorporated into any contract issued for the services advertised:

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in

accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or sub-contractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The Contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmation action Plan Approval

Certificate of Employee Information Report Employee

Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

**D. AMERICANS WITH DISABILITIES ACT OF 1990**  
Equal Opportunity for Individuals with Disability

The contractor and the BOROUGH OF BRADLEY BEACH (hereafter “owner”) do hereby agree that the provisions of Title 11 of the Americans with Disabilities Act of 1990 (the “Act”) (42 U.S.C. 5121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereto, are made a part of this contract.

In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act.

In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act.

The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind of nature arising out of or claimed to arise out of the alleged violation.

The contractor shall, at its own expense, appear, defend and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner’s grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the owner shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

AMERICANS WITH DISABILITIES ACT OF 1990  
Equal Opportunity for Individuals with Disability (continued)

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement.

Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

Representative's Name/Title  
(Print): \_\_\_\_\_

Representative's  
Signature: \_\_\_\_\_

Name of  
Company: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Date: \_\_\_\_\_

**E. AFFIRMATIVE ACTION COMPLIANCE NOTICE**

**N.J.S.A. 10:5-31 and N.J.A.C. 17:27  
GOODS AND SERVICES CONTRACTS  
(INCLUDING PROFESSIONAL SERVICES)**

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

- ☐ (a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

- ☐ (b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

- ☐ (c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours. The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contract fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

COMPANY \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

## F. MANDATORY BUSINESS REGISTRATION LANGUAGE

### Non Construction Contracts

All contractors and subcontractors must provide a Business Registration Certificate when seeking to do business with the State of New Jersey, and other public agencies in this state. Failure to submit proof of registration requires mandatory rejection of a bid as non-waivable defect. Proof of registration must be received before the contract is issued for non-bid contracts: such as contracts exempt from public bidding that are over the bid threshold, professional services, and extraordinary unspecifiable services, and purchase orders that are under the bid threshold. For non-bid contracts only, if proof has been filed through a previous contract, the contracting agency may waive resubmission.

#### **“New Jersey Business Registration Requirements”**

N.J.S.A. 52:32-44(1)(b) No contract shall be entered into by any contracting agency unless the contractor provides a copy of its business registration in accordance with the following schedule:

- (1) In response to a request for bids or a request for proposals, at the time a bid or proposal is submitted; or
- (2) For all other transactions, before the issuance of a purchase order or other contracting document. In its sole discretion, the contracting unit may waive this requirement if a business registration has been previously proved to the contracting agency.

N.J.S.A. 52:32-44(1)(c) A subcontractor shall provide a copy of its business registration to any contractor who shall forward it to the contracting agency. No contract with a subcontractor shall be entered into by any contractor under any contract with a contracting agency unless the subcontractor first provides proof of valid business registration. The contracting agency shall file all business registrations received by the contracting agency with other procurement documents related to the contract.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.

N.J.S.A. 54:49-4.1 A business organization that fails to provide a copy of a business registration as required pursuant to section of P.L. 2001, c. 134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L. 1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.